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IFW & RCE
3763
PATENT
PD-0464

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Group Art Unit: 3763
Darren Y.K. Yap et al.)	
Serial No.: 09/940,369)	Examiner: Cris Loiren Rodriguez
Filed: August 24, 2001)	
For: IMPROVED FLUID)	
RESERVOIR PISTON)	

CERTIFICATE OF MAILING VIA UNITED STATES POSTAL SERVICE

Date of Deposit: May 14, 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that:

- ☒ A Request for Continued Examination (RCE) Application Under 37 CFR § 1.114.
- ☒ A copy of the Amendment After Final Under 37 CFR § 1.116(a) filed on February 25, 2004.
- ☒ return postcard.

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May 14, 2004

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Nestor Atienza

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MEDTRONIC MINIMED, INC.
18000 Devonshire Street
Northridge, CA 91325-1219
Telephone: (818) 576-5291
Fax: (818) 576-6202



PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031
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**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/940,369
Filing Date	August 24, 2001
First Named Inventor	Darren Y.K. Yap et al.
Art Unit	3763
Examiner Name	Cris Loiren Rodriguez
Attorney Docket Number	PD-0464

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☒ Other Amendment After Final Action filed on February 25, 2004

- b. ☐ Enclosed

- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0621

- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____

05/19/2004 HALI11 00000037 500621 09940369
01 FC:1801 enclosed 770.00 DA

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Vivian S. Shin	Registration No. (Attorney/Agent)	43,919
Signature		Date	05/14/2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Vivian S. Shin	Date	05/14/2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



COPY

Serial No. 09/940,369 File No. PD-0464 Date Mailed 2/25/04 By: C. Pineiro

Title: Improved Fluid Reservoir Piston

Client Name: _____

The Following, due _____ in the U.S. Patent & Trademark Office was received in the Patent & Trademark Office on the date stamped hereon:

☒ Amendment TRANSMITTAL

Drawings: # of Sheets _____

☐ Preliminary Amendment

☐ Formal ☐ Informal

☐ PCT Application Including

☐ Issue Fee Transmittal

☐ Pages Spec. ☐ Page Abstract ☐ Claims

☐ Form Part B

☐ Application for Patent Including

☐ Notice of Appeal

☐ Pages Spec. ☐ Page Abstract ☐ Claims

☐ Petition for _____

☐ Declaration, Affidavit of Oath (☐ Page(s))

☐ Advance soft copy order

☐ Assignment

☐ Certified Copy: # _____ of Docs.

☐ Recordation Form Cover Sheet

☐ IDS: ☐ References

☐ Power of Attorney by Assignee

☐ Form PTO-1449

☐ Letter of Transmittal

☐ IDS Transmittal

☐ Maintenance Fee Transmittal

☐ General Power of Attorney

☐ Letter Re _____

☐ Certificate of Correction

☐ PCT Request Form

☐ Corrected Filing Receipt

☒ return postcard

☐ Terminal Disclaimer

XX AMENDMENT AFTER FINAL ACTION UNDER 37 CFR 1.116(a)

Serial No. 09/940,369 File No. PD-0464 Date Mailed 2/25/04 By: C. Pineiro

Title: Improved Fluid Reservoir Piston

Client Name: _____

The Following, due _____ in the U.S. Patent & Trademark Office was received in the Patent & Trademark Office on the date stamped hereon:

☒ Amendment TRANSMITTAL

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☐ Pages Spec. ☐ Page Abstract ☐ Claims

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☐ IDS: ☐ References

☐ Power of Attorney by Assignee

☐ Form PTO-1449

☐ Letter of Transmittal

☐ IDS Transmittal

☐ Maintenance Fee Transmittal

☐ General Power of Attorney

☐ Letter Re _____

☐ Certificate of Correction

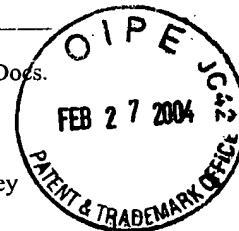
☐ PCT Request Form

☐ Corrected Filing Receipt

☒ return postcard

☐ Terminal Disclaimer

XX AMENDMENT AFTER FINAL ACTION UNDER 37 CFR 1.116(a)





In re Application of: Darren K. Yap et al.
 Serial No.: 09/940,369
 Filed: August 24, 2001
 For: IMPROVED FLUID RESERVOIR PISTON

COPY

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are:

- Amendment After Final Action Under 37 CFR § 1.116(a) in the above-identified application; and
- Return postcard.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			OTHER THAN A SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE	
TOTAL	24	MINUS 67	= -0-	x 9	\$	OR	x 18	\$-0-	
INDEP CLAIMS	2	MINUS 4	= -0-	x 42	\$	OR	x 84	\$-0-	
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ 140	\$	OR	+ 280	\$	
				TOTAL	\$	OR	TOTAL	\$-0-	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

[] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. A copy of this sheet is enclosed.

- [] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 [] Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Vivian S. Shin

Registration No. 43,919

MEDTRONIC MINIMED, INC.
 18000 Devonshire Street
 Northridge, CA 91325-1219
 Telephone (818) 576-5291
 Facsimile (818) 576-6202

COPY

Amendment Under 37 C.F.R. § 1.116(a)
Expedited Procedure - Examining Group 3763

PATENT
PD-0464

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Darren Y.K. Yap et al.)	
)	
Serial No.:	09/940,369)	Group Art Unit: 3763
)	
Filed:	August 24, 2001)	Examiner: Cris Loiren Rodriguez
)	
Title:	IMPROVED FLUID RESERVOIR)	
	PISTON)	
)	

AMENDMENT AFTER FINAL ACTION
UNDER 37 CFR § 1.116(a)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated November 25, 2003, please enter and consider the following amendment and remarks.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

February 25, 2004
Date of Deposit

Vivian S. Shin, Reg. No. 43,919
Name


Signature